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14 Attorneys for Plaintiff

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 UNITED STATES OF AMERICA,) No. CR 10-00931-3 LHK

19 Plaintiff,)

20 v.)

21 VIVIANA RODRIGUEZ,)

22 Defendant.)

23 **UNITED STATES' MOTION TO
24 DISMISS INDICTMENT**

25 With leave of the Court, and pursuant to Federal Rule of Criminal Procedure 48(a), the
26 United States Attorney for the Northern District of California hereby moves to dismiss the above
27 captioned indictment against defendant Viviana Rodriguez without prejudice. The government
28 also moves to vacate all pending dates set in the matter.

29 Dated: November 21, 2011

Respectfully submitted,

30 MELINDA HAAG
31 United States Attorney

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33 /s/
34 DANIEL R. KALEBA
35 JEFFREY B. SCHENK
36 Assistant United States Attorneys

37 MOTION TO DISMISS
38 CR 10-00931-3 LHK

[PROPOSED] ORDER

Upon motion of the government, the court hereby dismisses the indictment without prejudice, and all dates currently set in the matter are hereby VACATED.

Date: 11/21/11

Lucy H. Koh
LUCY H. KOH
United States District Judge